

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

Ref. No. 47

CERTIFICATION OF COUNSEL

I, Kimberly A. Brown, proposed counsel to the above-captioned debtors and debtors-in-possession (the “Debtors”), hereby certify as follows to the best of my knowledge, information and belief:

1. On November 19, 2022, the Debtors filed the *Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Operate A Postpetition Cash Management System, (B) Maintain Existing Business Forms, and (C) Perform Intercompany Transactions, (II) Granting a Partial Waiver of the Deposit Guidelines Set Forth in Section 345(B), and (III) Granting Certain Related Relief* [D.I. 47] (the “Motion”).

2. On November 22, 2022, Evolve Bank & Trust (“Evolve Bank”), an Arkansas banking corporation with principal offices located in Memphis, Tennessee, filed the *Objection of Evolve Bank & Trust to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Operate A Postpetition Cash Management System, (B) Maintain Existing Business Forms, and (C) Perform Intercompany Transactions, (II) Granting a Partial Waiver of the Deposit Guidelines Set Forth in Section 345(b), and (III) Granting Certain Related Relief*

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

[D.I. 105] (the “Objection”). The Debtors also received informal comments (the “Informal Comments”) on the proposed form of order from the United States Trustee (the “UST”) and the United States Securities and Exchange Commission.

3. On November 22, 2022, the Court held a hearing (the “Hearing”) to consider, among other things, the Motion. The Debtors and Evolve Bank resolved the Objection on an interim basis with the inclusion of certain averments on the record.

4. To resolve the Informal Comments, the Debtors revised the proposed form of interim order (the “Revised Interim Order”), a copy of which is attached hereto as **Exhibit A**. A copy of the Revised Interim Order compared against the proposed order attached to the *Notice of Revised Proposed Orders* [D.I. 98] is attached hereto as **Exhibit B**. Counsel to the UST has advised that the UST does not object to entry of the Revised Interim Order. In accordance with the Court’s electronic order processing procedures, a clean copy of the Revised Interim Order shall be uploaded to CM/ECF.

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5. Accordingly, based on the resolution of the Objection at the Hearing, resolution of the Informal Comments and consistent with the record at the Hearing, the Debtors respectfully request that the Court enter the Revised Interim Order at its earliest convenience.

Dated: November 23, 2022
Wilmington, Delaware

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